

Deficiency Progress Report - Update 7

Report Submitted: 7-21-08

CUPA Name: Los Angeles City Fire Department
Evaluation Date: April 12 and 13, 2006

State Evaluation Team:

Cal/EPA Team Leader: Kareem Taylor
OES Evaluator: Fred Mehr
SWRCB Evaluator: Marci Christofferson

Corrected Deficiencies: 1, 2, 3, 5

Next Progress Report (Update 8) Due: October 27, 2008

Please update the deficiencies below that remain outstanding.

4. **Deficiency:** The UST operating permit does not contain the monitoring options used for the tank and piping systems or have a statement that the monitoring, response, and plot plans are to be maintained on site with the permit.

Preliminary Corrective Actions: Include how the tank and piping systems are monitored on the operating permit, and verbiage that states that the approved monitoring, response, and plot plans are to be maintained on site with the permit.

CUPA's 3rd Status Update: This has been done. Refer to information on submitted status report #3.

Cal/EPA's 3rd Response: The information submitted with the 3rd status report was not adequate to correct this deficiency. Please refer to the attachment for water board's comments. Please submit an updated UST operating permit to Cal/EPA by August 16, 2007.

CUPA's 4th Status Update: Deficiencies 1, 2, 3, 5, and part of 4 have been corrected. The Los Angeles City Fire Department is currently in correspondence with Mr. Kareem Taylor (CalEPA/ Unified Program) to rectify deficiency #4. As discussed on September 12, 2007 during our teleconference with Mr. Taylor, Los Angeles City Fire Department will continue to work towards the resolution of this deficiency. The following procedures will be used as a roadmap to develop a form in Envision to fulfill the State Water Resource Control Board (SWRCB) requirement.

1. Meet with our Management Information Systems (MIS) to discuss the development of a form in Envision that will fulfill the SWRCB required information.
 - a. *On September 18, 2007, the Los Angeles Fire Department met with MIS to discuss the development of the form with the required UST and piping monitoring information. MIS was informed that this table would be a third page to the existing operating permit. MIS indicated that during the next two weeks they would be checking to see if the required fields exist in Envision and looking into how long it will take to generate such a form.*
2. Once the form has been generated it will be provided to Mr. Taylor and the SWRCB for comments and recommendations.
3. Then, a blank approved form will then be provided to the UST tank operators to be filled and submitted with their UST monitoring reports. If resources are available the existing UST monitoring reports will be used to populate the forms.
4. The final step will be to include the form with the UST and piping monitoring information as an attachment to the operating permit.

Cal/EPA's 4th Response: The CUPA is currently developing a form through Envision that will include all of the monitoring requirements. The form will be included with the permit to operate. When the form is completed, the CUPA will submit it to Cal/EPA for approval. Any form information that can be populated from UST forms already submitted by UST facilities must be entered by the CUPA. Cal/EPA appreciates the CUPA's proactive approach to correcting this deficiency.

CUPA's 5th Status Update:

Since our 4th Status Report our Management Information Systems personnel researched in Envision and were able to identify the majority of the fields required in the sample table provided by SWRCB/CalEPA. The majority of the information for the required fields was found in several Envision Screens/Tabs. MIS created a UDF Table (**Table 1**) in Envision to mirror the sample table provided by the State Water Resource Control Board.

TANK MONITORING INFO	
Parent ID	TA0001603
<div> <div>TANK SYSTEM</div> <div>PIPING SYSTEM</div> </div>	
UL # :	<input type="text"/>
SYSTEM ID :	<input type="text"/>
CONSTRUCTION :	<input type="text"/>
CAPACITY :	<input type="text"/> gallons
SUBSTANCE :	<input type="text"/>
MONITORING INFO :	<input type="text"/>
FREQUENCY :	<input type="text"/>
OVERFILL :	<input type="text"/>
SPILL CONTAINER :	<input type="text"/>
CATHODIC PROTECTION :	<input type="text"/>
PIPING CONSTRUCTION :	<input type="text"/>
TYPE OF SYSTEM :	<input type="text"/>
LINK LEAK DETECTOR :	<input type="text"/>
UDC MONITORING :	<input type="text"/>
TURB SUMP MONITOR :	<input type="text"/>
AUTOTURBINE SHUTDOWN :	<input type="text"/>
VAPOR RECOVERY PIPING :	<input type="text"/>
FREQUENCY :	<input type="text"/>

Table 1, Envision UDF Table

In addition, Decade was contacted to find out if Envision had a Canned Report that would meet the SWRCB/CalEPA requirements. Decades' response was that if the report was not a form required by CalEPA or the Water Board then they did not have it as a Canned Report. Decade was also informed about our UDF Table created by MIS and how the Fire Department intended to use it.

Decade did not recommend to populate the created UDF Table in Envision 3.4 at this time since it we would be recreating and repopulating the same table again once the Fire Department migrates to Envision Connect some time in June 2008.

Further more, Decade was asked if a form like this would be available in Envision Connect. Their response was no, but once we migrate to Envision Connect Decade would be able to customize **Table 1** to meet our needs and fulfill the SWRCB/CalEPA requirements.

While we wait for the migration to Envision Connect a copy of Table 1 will be provided to the UST owners to fill out and submit along with their Annual UST Monitoring Certifications. As soon as we upgrade to

Envision connect the newly created table will be populated with the gathered information. Once all the data has been collected and entered in the new tables it will be included and mailed along with the permit to operate.

Cal/EPA's 5th Response: Refer to SWRCB comments. Cal/EPA recommends that the CUPA include the newly approved monitoring plan form (Form D) with the permit to operate for each UST facility. The new form contains all of the monitoring requirements that need to be included with the permit. This option or the others mentioned below by the SWRCB would be acceptable to correct this deficiency. Cal/EPA accepts that any option chosen by the CUPA is only temporary until the Envision Connect database is fully able to populate the monitoring information directly onto the facility permits.

- **SWRCB's comments:** All of the monitoring information that should be on the operating permit is contained in the A, B & D forms submitted by the UST owner/operator. The UST owner should NOT have to fill out additional forms as suggested, as it is duplicative information. Since the new form D (Monitoring Plan) is now in regulation, LA City could make a copy of the approved monitoring plan and provide it to the permittee instead of putting the information on the permit itself, although, it would be a larger permit package.

Alternately, the permit could be printed using a report from Envision (or Envision Connect) using all of the information needed. The data elements in Envision should be (or soon will be) the same as contained on the new forms. Of course, the permit would need to be a report developed by Envision, unless the user can develop reports of their own.

A third option would be for the CUPA to have a permit template and type in the information needed for each permit. This is time consuming, but, would get the job done.

If using Envision Connect is the preferred method for correcting this deficiency, LA City Fire should provide a copy of a permit showing all of the required elements to CalEPA and SWRCB.

Note: Include "pipe monitoring" on the permit... this was inadvertently left off of the sample permit provided.

CUPA's 6th Status Update (4-10-08):

The Los Fire Department has initiated the process to purchase all the necessary hardware and software needed to begin the process of migrating our current Envision to Envision-Connect. The migration date is still set for June 2008. The time frame for the Fire Department to proceed with the original plan would be until Envision Connect is fully functional to begin with the data entry and amend this deficiency.

At this time the Los Angeles Fire Department CUPA respectfully requests for this deficiency to be rescinded and be amended with the use of the newly approved monitoring plan form (Form D). The Fire Department does not believe there is a need to modify the current permit to included a table listing the UST and pipe monitoring options, since this information will be available on the newly approved Form D. In addition our current permit already has a statement that requires the owner/operator to have an approved monitoring plan, emergency response plan and a site map detailing the required information.

All the required monitoring information is contained on Forms A, B, and D and a copy of these forms are required to be maintained at each UST facility. The UST owner/operator should have readily available for review the newly approved Form D at the site along with the approved emergency response plan and a site map. To avoid the duplication of the information found in Form D, the Los Angeles Fire Department respectfully requests that Form D be use in lieu of the UDF Table.

If the proposed option is accepted it will eliminate unnecessary duplication of already existing information in Form D. It will save the Los Angeles Fire Department countless hours of data entry and allow us to redirect our badly needed resources to other areas of our program. Therefore, the Los Angeles Fire Department CUPA humbly requests that this deficiency be rescinded and the regulations amended to remove this provision.

Cal/EPA's 6th Response: Please refer to SWRCB's response.

- **SWRCB's Response:** The SWRCB will not rescind the deficiency, and has no plans to amend the regulations to remove the provision, however, the SWRCB will consider the deficiency corrected upon the following:
 1. The UST tank numbers, as assigned by the CUPA, are listed on the permit, or on an attached Form B.
 2. The monitoring plans (Form D) are reviewed and approved by the CUPA and attached to the Consolidated Permit as part of the permit. The CUPA shall maintain a copy of the approved plan in their files.

The reason the CUPA must approve the monitoring plan is because many times the owner/operator submitting the forms do not complete them correctly for the tank/piping system. The review and approval process ensures that the correct monitoring alternatives are chosen for the existing system.

It is incumbent upon the CUPA, as the issuer of the permit, to make sure that the permit contains all of the required information and that it is accurate for the tank system. The permit may be comprised of more than one document, such as Form B and D.

3. At least 90% of the CUPA's UST facilities have the approved Form Ds attached to their permits. This may be completed along with the annual UST inspections. Cal/EPA and SWRCB would like to see some evidence that the new monitoring plan forms are being reviewed, approved, and attached to the UST permits of at least 90% of the CUPA's UST facilities within a one-year timeframe.

CUPA's 7th Status Update (7-21-08): The Los Angeles Fire Department (LAFD) will implement Cal/EPA's and SWRCB's recommendation and use the newly approved monitoring plan (**Form D**) to amend and fix LAFD's deficiency 4.

To assure that the tank operator(s)/tank owner(s) provide all the pertinent information pertaining to their underground storage tank and piping monitoring system. The LAFD's UST enforcement inspectors will verify and confirm the information provided in the monitoring plan, **Form D**.

Through a letter, the tank operator(s)/tank owner(s) will be notified to attach a signed copy of the newly approved **Form D** to the Consolidated Permit as part of the permit and mail in a hard copy along with their annual monitoring certification to the LAFD. A copy of this letter will be provided for review upon its completion.

In addition, under the Consolidated Permit Conditions, item #9 will be modified to read as follows:

The tank owner(s)/operator(s) shall comply with the California Code Regulations, Title 23, Division 3, Chapter 16, Section 2712 (c) and prepare a monitoring plan (**Form D**) for each facility. The tank owner/operator shall fill out monitoring plan to be approved by the field inspector during the annual inspection. Attach a signed copy to the Consolidated Permit as part of the permit and mail in a hard copy to the LAFD for record keeping.

Cal/EPA's 7th Response: Please refer to SWRCB's response.

- **SWRCB's Response:** The SWRCB is basically pleased at the progress the CUPA has made to correct this deficiency; however, SWRCB feels that the CUPA's procedure needs some minor modifications. Since the monitoring plan is required to be approved, it should be submitted to the CUPA for approval before it is attached as part of the permit. Since the CUPA is the issuing agency, and in control of the process, the approved permit attachments should come from the CUPA.

A possible procedure for accomplishing this would be to do the following:

For existing facilities:

1. Send the monitoring form to the facility for completion, and have it returned prior to the inspection.
2. The monitoring plan is reviewed and if complete, marked as approved. A copy of the approved plan is provided to the facility at, or prior to, the inspection for attachment to the permit.
3. If the plan is insufficient, it can be corrected at the inspection, and marked as approved. A copy of the approved plan is then provided to the facility for attachment to the existing permit.

For new facilities:

1. The facility provides the monitoring plan as part of the "Permit to Operate" package.
2. The CUPA reviews the plan for content and accuracy prior to and during the final inspection phase of construction. If complete and accurate, the CUPA marks the plan as approved.
3. A copy of the monitoring plan is provided as an attachment to the Permit to Operate.

CUPA's 8th Status Update: **Enter update here**

5. **Deficiency:** The CUPA does not approve and/or review monitoring, response and plot plans for accuracy and/or applicability. When the application for the UST permit is submitted, data entry is performed and the forms filed. The UST inspector prints out a summary of information prior to the UST program inspection, but it does not include the specific

tank or piping information, monitoring information, financial responsibility information, etc. The information located at the facility is not compared to what has been submitted.

Preliminary Corrective Actions: Provide a procedure to ensure that all of the permitting information has been submitted, reviewed for completeness and approved. Verify that it is accurate for the facility. During an inspection compare what is submitted to the information located at the facility.

CUPA's 3rd Status Update: The inspectors will review the permitting information for completeness, and will verify that it is accurate for the facility. During the inspection the inspector will compare what is submitted to the information located at the facility.

Cal/EPA's 3rd Response: Cal/EPA considers this deficiency corrected.